

**ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMMODATION PURPOSES
ORDER TO VACATE**

To: Gordon Howard Markle
"the Owner"

Lynn Jeanne-Mance Simard
"the owner"

And To: All Occupant(s) of the following Housing premises:

RE: Those housing premises located in Sturgeon County, Alberta and municipally described as: 25305 Township Road 572; NE-9-57-25-W4

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted premises pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. The water supplied to the premises is not safe for human consumption. Reports dated February 1, 2021 indicate that the levels of lead and manganese in the water exceed the maximum acceptable concentrations in the Guidelines for Canadian Drinking Water Quality, and the levels of iron, sodium, sulfate and total dissolved solids exceed the aesthetic objectives. A report dated June 25, 2021 also indicates the presence of total coliform bacteria in the water sample collected June 23, 2021.
- b. A report from a Safety Codes Officer dated July 13, 2021 indicates that the private sewage disposal system is not in compliance with the Alberta Private Sewage Systems Standard of Practice 2015.
- c. Suspect visible mould growth was observed in the front entry room.
- d. Evidence of water infiltration was observed in the front entry room.
- e. Mouse droppings were observed in the kitchen and front entry room.
- f. There were no handrails/guards on either set of stairs to the deck.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. The water supplied to the premises is not safe for human consumption. Reports dated February 1, 2021 indicate that the levels of lead and manganese in the water exceed the maximum acceptable concentrations in the Guidelines for Canadian Drinking Water Quality, and the levels of iron, sodium, sulfate and total dissolved solids exceed the aesthetic objectives. A report dated June 25, 2021 also indicates the presence of total coliform bacteria in the water sample collected June 23, 2021. This is in contravention of

- section 3(1)(b)(iii) of the Housing Regulation which states that: Subject to subsection (3) and section 4, an owner shall ensure that the occupants of the housing premises are supplied with adequate running hot and cold water that is safe for human consumption.
- b. A report from a Safety Codes Officer dated July 13, 2021 indicates that the private sewage disposal system is not in compliance with the Alberta Private Sewage Systems Standard of Practice 2015. This is in contravention of section IV(6) of the Minimum Housing and Health Standards which states that: Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system.
 - c. Suspect visible mould growth was observed in the front entry room. This is in contravention of section III(1)(c) of the Minimum Housing and Health Standards which states that: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
 - d. Evidence of water infiltration was observed in the front entry room. This is in contravention of section 3(1)(a)(iv) of the Housing Regulation which states that: Subject to subsection (3) and section 4, an owner shall ensure that the housing premises are maintained in a waterproof, windproof and weatherproof condition.
 - e. Mouse droppings were observed in the kitchen and front entry room. This is in contravention of section V(16)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.
 - f. There were no handrails/guards on either set of stairs to the deck. This is in contravention of section III(3)(c)(i) which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
 - g. The bathroom ceiling was in disrepair. This is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed for Tenant Accommodation Purposes**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the occupants vacate the above noted premises on or before August 6, 2021.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure that the premises is supplied with running hot and cold water that is safe for human consumption and of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
 - b. Ensure that the premises is connected to an approved private sewage disposal system.
 - c. Provide a report from a Safety Codes Officer indicating that the private sewage disposal system is in compliance with applicable regulations/safety codes/standards.

- d. Remove water damaged and/or mould contaminated materials and ensure that the premises is maintained in a waterproof, windproof and weatherproof condition.
 - e. Ensure that the premises is free of insect and rodent infestations.
 - f. Ensure that the both sets of stairs leading to the deck are equipped with handrails/guards in accordance with the Alberta Building Code or a Professional Engineer design.
 - g. Ensure that all walls, windows, ceilings, floors, and floor coverings are maintained in good repair.
3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain closed for tenant accommodation purposes.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at St. Albert, Alberta, July 23, 2021

Executive Officer
Alberta Health Services

You have the right to appeal

A person who a) is directly affected by a decision of a Regional Health Authority, and
 b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board
c/o Central Reception
Main Floor, ATB Place North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Copy Sturgeon County

St. Albert • St. Albert Public Health Centre • Environmental Public Health

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www.albertahealthservices.ca/eph.asp